

CLAIM AMENDMENTS

Claim Amendment Summary

Claims pending

- At time of the Action: Claims 1-6, 8-24, 26-41, and 43-48
- After this Response: Claims 9-15, 26-27, 31, 34 and 37.

Canceled or Withdrawn claims: 1-6, 8, 16-24, 28-30, 32, 33, 35, 36, 38-41, and 43-48.

Amended claims: none.

New claims: none.

Claims:

Claims 1-8 are **NON-ELECTED**, and therefore **CANCELED**.

9. (ORIGINAL) A method for facilitating speedy communication of packets between entities on a network, the method comprising:

sending a set of packets from a sending entity to a receiving entity, wherein a transmission delay between packets in the set is intolerable;

immediately thereafter, sending at least one "push" packet to avert a transmission delay between packets in the set, wherein the delay is caused by packet buffering of a communication device on the network.

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SERIAL NO.: 09/635,988
ATTY DOCKET NO.: MS1-565US
RESPONSE TO RESCISSION REQUIREMENT
DATED 11/5/2004

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atty: Kasey C. Christie

1 10. (ORIGINAL) A method as recited in claim 9, wherein the set of
2 packets includes two packets sent back-to-back.

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4 11. (ORIGINAL) A method as recited in claim 9, wherein the set of
5 packets are bandwidth-measurement packets for measuring bandwidth between the
6 sending entity and the receiving entity.

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8 12. (ORIGINAL) A method as recited in claim 9, wherein the
9 communication device is a proxy server.

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11 13. (ORIGINAL) A method as recited in claim 9, wherein the network is
12 TCP.

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14 14. (ORIGINAL) A program module having computer-executable
15 instructions that, when executed by a computer, performs the method as recited in
16 claim 9 at an application layer in accordance with an OSI model.

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18 15. (ORIGINAL) A computer-readable medium having computer-
19 executable instructions that, when executed by a computer, performs the method
20 as recited in claim 9.

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22 Claims 16-25 are NON-ELECTED, and therefore CANCELED.

1 **26. (ORIGINAL)** A method for facilitating bandwidth measurement
2 between two entities on a network, the method comprising:

3 sending a pair of bandwidth-measurement packets from a sending entity to
4 a receiving entity, wherein a transmission delay between packets in the pair is
5 intolerable;

6 immediately thereafter, sending at least one "push" packet to avert a
7 transmission delay between packets in the pair, wherein the delay is caused by
8 packet buffering of a communication device on the network.

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10 **27. (ORIGINAL)** A method as recited in claim 26 further comprising
11 receiving a bandwidth calculation based upon measurements related to the pair of
12 packets.

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14 **28. (CANCELED)**

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17 **29. (CANCELED)**
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1 **30. (CANCELED)**

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3 **31. (ORIGINAL)** A computer-readable medium having computer-
4 executable instructions that, when executed by a computer, perform a method to
5 facilitate speedy communication of packets between entities on a network, the
6 method comprising:

7 sending a set of packets from a sending entity to a receiving entity, wherein
8 a transmission delay between packets in the set is intolerable;

9 immediately thereafter, sending at least one "push" packet to avert a
10 transmission delay between packets in the set, wherein the delay is caused by
11 packet buffering of a communication device on the network.

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13 **32. (CANCELED)**

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15 **33. (CANCELED)**

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17 **34. (ORIGINAL)** An apparatus comprising:

18 a processor;

19 a transmission-delay avoider executable on the processor to:

20 send a set of packets from a sending entity to a receiving entity,
21 wherein a transmission delay between packets in the set is intolerable;


22 immediately thereafter, send at least one "push" packet to avert a
23 transmission delay between packets in the set, wherein the delay is caused
24 by packet buffering of a communication device on the network.

1 **35. (CANCELED)**

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3 **36. (CANCELED)**

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5 **37. (ORIGINAL)** A modulated data signal having data fields encoded
6 thereon transmitted over a communications channel, comprising:
7 a first field including a first bandwidth-measurement packet;
8 a second field including a second bandwidth-measurement packet;
9 a third field including a "push" packet facilitating minimization of
10 transmission delay between the first and second packets, wherein the delay is
11 caused by packet buffering of a communication device on the network.

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13 **Claims 38-41 and 43-48 are NON-ELECTED, and therefore CANCELED.**

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